

*Trion James v. Port Authority Police Department, Port Authority of New York and New Jersey, Edward Cetnar (in his official capacity), Christopher McNerney (in his official capacity), and Does 1-5*

*Civil No.: 1:22-cv-02463-PGG*

# EXHIBIT G

THE PORT AUTHORITY OF NY & NJ

## MEMORANDUM

*EEO Compliance  
Office of Diversity & Inclusion*

**CONFIDENTIAL – NOT FOR DISTRIBUTION**  
**Review and Return**

**To:** Chief Security Officer John Bilich  
**From:** Natalynn Dunson-Harrison  
**Date:** January 15, 2020  
**Subject:** Public Safety EEO Complaints (World Trade Center Command)  
**Copy To:** M. Massiah

As you are aware, the Office of EEO Compliance received complaints from two Sergeants who work at the World Trade Center command (WTC). The complaints alleged that Police Officer James Zammit violated Port Authority's Equal Employment Opportunity and Sexual Harassment policies when he directed racial and homophobic slurs at Sergeants Trion James and Arron Woody. Specifically, Officer Zammit referred to Sergeant James as a "fucking faggot", referred to Sergeant Woody as a "Nigger" and made a general reference to "these Niggers" on December 20, 2019 during the Command's holiday party.

During our investigation, a lieutenant corroborated hearing Officer Zammit refer to Sergeant James as a "fucking faggot." Sergeant Woody reportedly admonished Officer Zammit by stating "that's not the kind of language we use."

Both a policer officer and the lieutenant corroborated hearing Officer Zammit using the term "nigger" at the party. Witnesses noted that after Officer Zammit also loudly made a general reference to "these niggers," the room went silent and Lieutenant Harrison as well as Sergeants Woody and James left the venue as opposed to addressing Officer Zammit and possibly exacerbating the situation.

**Findings:**

Officer Zammit's behavior is egregious and violates the Port Authority's Equal Employment Opportunity Policy, Sexual Harassment Policy, Transgender Inclusion and Non-Discrimination Policy, Code of Ethics, and General Rules and Regulations for all Port Authority Employees as well as Title VII of the 1964 Civil Rights Act. In addition to these violations, a major concern is Officer Zammit's open animus and disrespect for his superior officers. He had previously worked with both Sergeants and knew their rank. Although homophobic and racial slurs directed toward any colleague is unacceptable, he was aware that he was speaking to and about superior officers.

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These types of comments impact the entire command. They poison the workplace and, if left unchecked, give the impression of tacit approval by management and serve to contribute to creating a disrespectful and hostile work environment. They can lead to external claims with the Federal Equal Employment Opportunity Commission (EEOC) and subject the agency to negative publicity and negative public scrutiny.

**Recommendations:**

It is our recommendation that Officer Zammit be removed from service as a Port Authority Police Officer. A great deal of consideration should be given as to whether he can hold a position of trust within the agency which serves a diverse population and holds all employees accountable for treating everyone, staff and the general public, with dignity and respect. Additionally charges should be brought for the violations previously cited as well as Officer Zammit's: failure to be civil and respectful to officers of superior rank; failure to use tact and courtesy with the public; his use of abusive or indecent language; and acting in a way that reflects unfavorably upon the reputation of the Port Authority.